

Message

From: Wandling, Jason E [Jason.E.Wandling@wv.gov]
Sent: 7/16/2020 8:01:01 PM
To: Rhines, Dale [rhines.dale@epa.gov]; Stein, Jonathan [Stein.Jonathan@epa.gov]; Dye, Jeffrey O [Jeffrey.O.Dye@wv.gov]
CC: Bell, Aaron L. [Bell.Aaron@epa.gov]; Monson, Mahri [Monson.Mahri@epa.gov]; Isales, Daniel [Isales.Daniel@epa.gov]; Pantziris, Jack [Pantziris.Jack@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]
Subject: RE: [External] EPA File No. 03R-19-R3 - WVDEP Draft Informal Resolution Agreement
Attachments: West Virginia Comments 1 2020 06 08 WVDEP IRA Draft 03R-19-R3 .docx

Dale and Jonathan,

Attached, please find West Virginia's comments on the draft agreement. I'm booked up for the rest of the week, but I'll make myself available whenever next week to discuss. Thanks again for your patience.

Jason

Jason Wandling
 General Counsel
 West Virginia Department of Environmental Protection
 601 57th St. SE
 Charleston, WV 25304
 304-926-0499

From: Rhines, Dale <rhines.dale@epa.gov>
Sent: Monday, July 13, 2020 10:06 AM
To: Wandling, Jason E <Jason.E.Wandling@wv.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>; Dye, Jeffrey O <Jeffrey.O.Dye@wv.gov>
Cc: Bell, Aaron L. <Bell.Aaron@epa.gov>; Monson, Mahri <Monson.Mahri@epa.gov>; Isales, Daniel <isales.daniel@epa.gov>; Pantziris, Jack <Pantziris.Jack@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: RE: [External] EPA File No. 03R-19-R3 - WVDEP Draft Informal Resolution Agreement

We really don't have that. Most of the time, our document is returned with redline edits, but we can have a discussion f that would help first.

Dale Rhines
 Deputy Director
 External Civil Rights Compliance Office
 Office of General Counsel
 U.S. Environmental Protection Agency
 (202) 536-9436

From: Wandling, Jason E <Jason.E.Wandling@wv.gov>
Sent: Monday, July 13, 2020 9:24 AM
To: Rhines, Dale <rhines.dale@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>; Dye, Jeffrey O <Jeffrey.O.Dye@wv.gov>
Cc: Bell, Aaron L. <Bell.Aaron@epa.gov>; Monson, Mahri <Monson.Mahri@epa.gov>; Isales, Daniel

<Isales.Daniel@epa.gov>; Pantziris, Jack <Pantziris.Jack@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>

Subject: RE: [External] EPA File No. 03R-19-R3 - WVDEP Draft Informal Resolution Agreement

Dale,

I've finally touched all the bases I need to within the agency on this and we have some comments/concerns/suggestions. Do you have a general form for how other states have commented in the past? Or are those comments available online? Thanks in advance!

Jason

Jason Wandling
General Counsel
West Virginia Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
304-926-0499

From: Rhines, Dale <rhines.dale@epa.gov>

Sent: Thursday, July 2, 2020 9:24 AM

To: Wandling, Jason E <Jason.E.Wandling@wv.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>; Dye, Jeffrey O <Jeffrey.O.Dye@wv.gov>

Cc: Bell, Aaron L. <Bell.Aaron@epa.gov>; Monson, Mahri <Monson.Mahri@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Pantziris, Jack <Pantziris.Jack@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>

Subject: RE: [External] EPA File No. 03R-19-R3 - WVDEP Draft Informal Resolution Agreement

Jason,

We do understand that during this time, West Virginia DEP must be experiencing some challenges. As you know, we have our own internal time frames that we must attempt to meet. It would certainly be better for us if two weeks would provide enough of an extension for you to get a draft back to us. If it ends up needing three weeks, we understand but would appreciate it if we could receive the draft back sooner. As always, if there are any questions we can help with as the review process takes place, we are always available.

Dale Rhines
Deputy Director
External Civil Rights Compliance Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 536-9436

From: Wandling, Jason E <Jason.E.Wandling@wv.gov>

Sent: Wednesday, July 1, 2020 9:22 AM

To: Stein, Jonathan <Stein.Jonathan@epa.gov>; Dye, Jeffrey O <Jeffrey.O.Dye@wv.gov>

Cc: Rhines, Dale <rhines.dale@epa.gov>; Bell, Aaron L. <Bell.Aaron@epa.gov>; Monson, Mahri <Monson.Mahri@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Pantziris, Jack <Pantziris.Jack@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>

Subject: RE: [External] EPA File No. 03R-19-R3 - WVDEP Draft Informal Resolution Agreement

Jonathan,

The draft Informal Resolution Agreement is wending its way through the executive branch, albeit rather slowly. I'd like to ask for another three weeks to comment on the document. I've also sent it to our Attorney General who is also required to review and approve an agreement like this. I hope to hear from that office soon.

Jason

Jason Wandling
General Counsel
West Virginia Department of Environmental Protection
601 57th St.
Charleston, WV 25304

From: Stein, Jonathan <Stein.Jonathan@epa.gov>
Sent: Friday, June 12, 2020 3:39 PM
To: Wandling, Jason E <Jason.E.Wandling@wv.gov>; Dye, Jeffrey O <Jeffrey.O.Dye@wv.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Bell, Aaron L. <Bell.Aaron@epa.gov>; Monson, Mahri <Monson.Mahri@epa.gov>; Isales, Daniel <isales.daniel@epa.gov>; Pantziris, Jack <Pantziris.Jack@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: [External] EPA File No. 03R-19-R3 - WVDEP Draft Informal Resolution Agreement
Importance: High

CAUTION: External email. Do not click links or open attachments unless you verify sender.

Good Afternoon Jason and Jeff:

I hope all is well with you and your families. Attached for your review is a Word draft of the Informal Resolution Agreement. Please return with redline and comments by Monday, July 6. If you have questions in the interim, we are available to discuss. Thanks!

Best Regards,

Jonathan M. Stein
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